

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Benson et al.

Serial No.: 10/633,025

Filed: August 1, 2003

For: APPARATUS FOR FORMING
COMPOSITE STIFFENERS AND
REINFORCING STRUCTURES (as
amended)

**VIA ELECTRONIC FILING
May 18, 2007**

Confirmation No.: 4729

Examiner: M. Ewald

Group Art Unit: 1722

Attorney Docket No.: 2507-5936US
(22025-US)

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is filed in response to the Notice of Allowance mailed February 28, 2007 and sets forth Applicants' comments, pursuant to 37 C.F.R. §1.104(e), on the Examiner's Statement of Allowable Subject Matter accompanying the Notice of Allowance.

In the Notice of Allowance, the Examiner indicates:

The closest prior art references of Fell (U.S. 5,543,199), Mossi (U.S. 6,071,458), Leemon, et al. (U.S. 6,432,236), and Jackson (U.S. 5,954,917) all fail to teach, either alone or in combination, the structural elements as claimed by Applicant. Applicant has further argued that the references of Fell, Mossi and Leemon, et al.

all fail to teach *a carriage assembly movably coupled to the base*. Examiner agrees that none of these references teach such a feature. In addition, with respect to the reference of Jackson, Jackson fails to teach *at least one roller being coupled with the carriage assembly*. The roller of Jackson is stationary and not attached to the carriage assembly.

Applicants concur with the reasons as stated by the Examiner insofar as they comprise a summary, which is exemplary and not limiting. However, the scope of the claims is based on the actual language of the claims and equivalents thereof, and not on a paraphrase or summary of the claim language.

The Independent claims as allowed recite features and in addition to, and in different language than, those described in the Statement of Allowable Subject Matter. Furthermore, the dependent claims recite elements in addition to those of the independent claims, which are also not reflected in the Statement of Allowable Subject Matter. Such additional elements, in combination with those of the independent claims from which each claim depends, provide additional reasons for patentability. Accordingly, the scope of the claims must be determined from the literal language of each as a whole, as well as all equivalents thereof.

Therefore, to the extent that the Examiner's reasons for allowance as stated are not relevant to, or wholly encompassing of, a particular claim, independent or dependent, Applicants assume that (pursuant to 37 C.F.R. §1.104(e)) the Examiner has determined that the record of the prosecution as a whole of the application makes clear the reasons for allowing those claims.

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Further, it appears, pursuant to M.P.E.P. 1302.14, that the Examiner's Statements of Allowable Subject Matter are not intended to encompass all of the reasons for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bradley B. Jensen", with a long horizontal flourish extending to the right.

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Date: May 18, 2007
BBJ/dlm

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